

ENVIRONMENTAL REVIEW REPORT

PARSONS WATER IMPROVEMENT PROJECT City of Parsons, TN

Prepared for:

USDA RURAL DEVELOPMENT GRANT/LOAN APPLICATION

August 12, 2003

Prepared by:

Southwest Tennessee Development District
27 Conrad Drive Suite 150
Jackson, TN 38305
Phone 731-668-6408
Fax: 731-668-6421

ENVIRONMENTAL REVIEW REPORT

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ENVIRONMENTAL REVIEW REPORT

Introduction

The City of Parsons, operating through the Parsons Water Board and Utility Department, is responsible for providing potable water service to about 1,600 customers throughout the City of Parsons, Perryville, Decaturville, Scotts Hill and the remainder of Decatur County. The total population served by the water system is approximately 6,000 people.

Parsons obtains its raw water from the Beech River as the sole source. The current water treatment plant, located on Hwy 69 just north and east of the river, was constructed in 1953; major improvements were completed in 1976 and again in 1991. The nominal capacity of the treatment plant is 1.73 million gallons per day (MGD).

Water treatment is handled by conventional surface water units consisting of raw water intake, two 1,200 gallons per million (GPM) raw water pumps, and flash mix/chemical action with flocculation and sedimentation basins. Six gravity sand filters with post-chemical addition are in use.

The treatment plant is currently rated at 1,200 GPM, or 1.728 million gallons per day. The average peak demand in the year 2000 was 0.8795 MGD with 1.1430 MGD peak. Storage capacity is currently 1.16 MGD and consists of two five hundred thousand gallon elevated storage tanks.

Purpose and Need for the Project

Project Description

The proposed project consists of installing approximately 32,600 LF of 20- and 18-inch water transmission mains from a new water intake structure located on the Tennessee River, river mile 136. The proposed project will increase the withdrawal capacity to 20 MGD and provide a cleaner and more dependable raw water source. Based on the existing Parsons Water Treatment Plant (PWTP), easements will be secured with widths capable of serving three pipelines, two raw water lines to the plant if necessary, and one line as a finished water supply to serve the Perryville Water District.

Purpose and Need

On July 17, 2000, the City of Parsons received a Commissioner's Order issued by Milton H. Hamilton, Jr., Commissioner of the Tennessee Department of Environment and Conservation (Case No.: 00-0123). Section XXVII, Order and Assessment paragraph 7 states that, "The City of Parsons will conduct a study and prepare a report considering establishing it's raw water intake within the Tennessee River."

The PWTP is currently rated at 1,200 GPM or 1.728 MGD. This water currently serves the City of Parsons, Decatur County, Perryville Utility District, North Utility District, Decaturville and Scotts Hill. This represents 1,600 customers and about 6,000 persons. Currently, water taken from Beech River is of poor quality (high in surfactants). In addition, low flows affect water availability at various times during the year.

The original treatment plant and distribution system was constructed in 1953; improvements were necessary in 1976 and 1991. Since that initial development, the service area and number of customers has grown considerably. A preliminary "Water Improvements Engineering Report" was prepared by TLM Associates, Inc., Jackson TN, and submitted on July 17, 2001. The report indicated that in 2000, 43.88% of the water could not be accounted for. Six percent of this loss was at the water plant, and the remaining 38% was in the distribution system.

The report from TLM projected water use information for all entities currently served by the City of Parsons. Based on current and future population growth and water usage, the engineering report contained the following recommendations:

- Raw Water Intake – Based on the past history of Parsons raw water supply and the Commissioner's Order, a new intake structure located on the Tennessee River should be constructed and the withdrawal request from the Tennessee River be increased to 20 million gallons per day.
- List Raw Water Supply Pipelines – A pipeline alignment should be done, consisting of a combination of easements; and permits to be acquired with widths capable of serving three pipelines, two raw water lines to the treatment plant, and if necessary one as a finished water supply to serve the Perryville Water District.
- List Water Treatment Capacity– Upgrade the PWTP within the next five years to meet state regulations for water plants. Increase the current treatment capacity of the PWTP when demand reaches 1.33 MGD to 3.456 MGD. Reduce unaccounted water loss from local distribution lines and repair existing elevated storage tanks.

- List Storage – Additional storage is needed to maintain a 24-hour usable storage capacity. Monitor growth in water usage, and plan on a three-year project time to add volume.
- List Distribution System – Address unaccounted finished water loss. Maximize treatment capacities of the PWTP. Improve water supply to the Parsons and Perryville Utility Districts.
- List Overall System Improvements – Provide total system mapping and hydraulic modeling. Develop 5-year planning and budget projections. Upgrade existing distribution system by replacing small and worn out lines and water meters.

Alternatives

New Water Supply

The current raw water supply from Beech River is sorely inadequate in both quantity and quality. Low flows throughout the year, especially in the summer months, make adequate raw water difficult to obtain. The presence of surfactants and trace elements make water treatment expensive and difficult. Moreover, there are no other municipalities or water systems in the region to supply Parsons and Decatur County.

The City of Parsons must take the lead if adequate safe water is to be available to support current and future development in the region. The only logical solution is to develop a new source of raw water. The Tennessee River lays six miles to the east of the current Parsons Water Treatment Plant. The development of this new intake structure on the Tennessee River will assure that Parsons has adequate raw water for current and future generations.

Increased Distribution System

Distribution of water throughout the system is accomplished by utilizing 1" through 16" mains. The majority of the system uses 6" mains. For the year 2000, the percentage of unaccounted for water was 43.88% or 146,851,000 gallons. Reports indicated that 5.58% or 18,668,000 gallons was lost at the water plant before it reached the distribution system; and 38.30% or 128,183,000 gallons was unaccounted for in the distribution system.

There is a need to develop a new treatment plant near the proposed intake structure within the next ten to twenty years. This new plant would allow Parsons to become a regional supplier of reliable water to the Perryville Utility District as well as Decatur County and beyond.

Take No Action

Doing nothing to improve either the water supply or distribution system will place the City of Parsons at risk with regards to meeting current and future demands for the city and region as a whole. The "Take No Action" alternative is not practical or acceptable to the City of Parsons or Decatur County.

Affected Environment/Environmental Consequences

Land Use/Important Farmland

The proposed waterline will traverse primarily rolling pasture and open forested lands. No Class 1 farmlands will be impacted. The intake structure will be located within the 100-year floodplain on TVA fee lands at the left bank Tennessee River. Consultation with the USDA Natural Resources Conservation Service regarding potential impacts to prime or important farmlands indicated that there are none of the aforementioned farmlands along the proposed project ROW and that no further analysis would be necessary (*Appendix A*).

Floodplains and Wetlands

The attached FEMA Flood Insurance Rate Maps (*Appendix B*) outline the proposed waterline route and intake structure location at the Tennessee River. The pipeline route lies wholly outside the 100-year floodplain with exception of six creek/branch crossings and at the Beech River crossing and intake structure location. From West to East the impacted crossings are Adams Branch, Herron Creek, Mire Branch, Crowell Branch, and two unnamed branches in the eastern most portion of the ROW. The ROW will follow an old railroad bed once it crosses Crowell Branch eastward until it crosses Hwy. 100 at Perryville.

The pipeline is proposed to bore under Beech River at the mouth and continue south to the intake structure location. Creek/branch crossings will be temporarily impacted during construction. However, once the waterline is buried, the creek banks and bottom will be returned to pre-construction conditions. Streams in this region have gravel bottoms with chert banks and tend to recover fairly rapidly. Once the ROW crosses Hwy. 100 to the east, about 2,000' of wooded wetlands adjacent to Tinker Sand and Gravel will be impacted.

This area is predominately a hackberry/willow climax with average diameter of 10" – 14" trees. Once the 50' ROW is cleared, the trees will be lost. This equates to approximately 2.3 acres impacted in this reach. The proposed pipeline will bore under Beech River 100' upstream of its confluence with the Tennessee River. This technology has proven to be less detrimental to wetlands habitat than traditional cut and fill.

South of Beech River the ROW will again impact hackberry/willow/maple wooded wetlands for a distance of about 1,000'. This equates to a loss of 1.1 acres of habitat. From this point, the ROW will follow an existing farm field road along the top bank of the Tennessee River about 2,000' to the intake structure site. No impacts are expected here. A pumping station will be constructed at this location. This structure will be elevated approximately 20' above top bank (380' elevation) to provide a year-round waterproofed structure.

Cultural Resources

Consultation with the State of Tennessee Historical Preservation Office (SHPO) indicated the need for a Phase 1 Archaeological/Cultural Study. Weaver & Associates, LLC Memphis, TN, completed the study and a draft report (*Appendix C, "Phase 1 Archaeological Report, Management Summary"*) was submitted in June of this year. Results of the survey suggested that the proposed project, as originally designed, would directly affect 10 archaeological sites. Five of these sites had been previously recorded, and five additional sites were identified and recorded.

Changes to the proposed pipeline corridor would avoid these potentially significant archaeological deposits. In addition, it was recommended that the original intake structure site be shifted 115 meters (375') north to avoid impact to significant deposits. The recommended site changes were submitted in late June to SHPO for review. The final recommendation from SHPO has not been received.

Biological Resources

Consultation with the U.S. Fish and Wildlife Service (USF&WS) indicated potential impact on three federally listed endangered wildlife species. The Gray Bat (*Myotis grisescens*) and two mussel species, Orange foot pimpleback (*Plethobasus cooperianus*), and Ring pink (*Obovaria retusa*), were evaluated by the Tennessee Wildlife Resources Agency (TWRA). Surveys conducted by TWRA indicated "no adverse impacts to the Gray Bats," and a river bottom mussel survey for the two mussel species in question found none in the proposed intake structure area (*Appendix D, TWRA Gray Bat and Mussel Report*).

Consultation with the Nashville District Corps of Engineers indicated the need for a General Section 404/401 permit to cross the streams previously outlined in the wetlands section. Communication with TVA indicated the need to develop a Section 26a permit for construction activities and a permanent easement to cross TVA fee lands in the project area.

Water Quality Issues

The Tennessee Department of Environment and Conservation (TDEC) Environmental Assistance Center in Jackson, Water Pollution Control Dept. and Water Quality Dept. indicated the need for a Section 401 permit from Water Pollution. Water Quality indicated support for the project (*Appendix A*). The proposed project would remove water from the Tennessee River and is under study by the TDEC Nashville office.

Coastal Resources

There are no coastal resources in the vicinity of the project. Therefore, this category is not applicable for this project.

Socio-Economic/Environmental Justice

As previously discussed, the project will improve both the water supply and water quantity for Parsons, Decatur County and beyond. This will clearly result in a positive impact on the entire community. There will be no relocation of homes, nor will the water rates increase drastically due to the project. Therefore, there will be no adverse impacts to the social-economics of Parsons and Decatur County.

Environmental justice—the right to a safe, healthy, productive and sustainable environment for all—will most certainly be improved through the implementation and completion of this project.

Summary of Mitigation

The Environmental Review for this project has been conducted during the past eight months. In December 2002 informational packets were mailed to ten state and federal agencies (*Appendix A*), including the Chickasaw and Creek Indian Nations. The packets included a USGS quadrangle map, a project description, and an overview of the entire proposal. Five of the contacted agencies responded and asked for further information or study:

1. The Tennessee Valley Authority indicated the need to complete the TVA 26a permit application.
2. The USF&WS initially asked for further study into the gray bat and two species of endangered mussels.
3. The Nashville District Corps of Engineers indicated the need for a Section 401/404 permit to traverse wetlands.
4. The Tennessee Historical Commission stated that a Phase 1 Archaeological study be undertaken.

5. The Chickasaw Indian Nation indicated the need for the archaeological study as well. Responses from the remaining state and federal agencies indicated no adverse impacts associated with the project.

Three public notices have been published in local newspapers to inform the general public about the proposed water improvements project. No objections to the proposed project have come from the local county residents.

A TVA 26a permit is being prepared by TLM Engineers in Jackson, TN; this ERR will become an exhibit to the 26a document. The USF&WS has indicated that no federally listed wildlife species will be adversely impacted. The Corps of Engineers has indicated that a general permit will be issued to cross wetlands. The Tennessee Historical Commission indicated that "with pipeline and intake structure location modifications," the project would not adversely impact cultural/archaeological deposits in the area if moved to bypass documented sites. The Creek Indian Nation believes their interests have been addressed (*Appendix A*). Final recommendations from the Chickasaw Nation were sent to their legal office for review on August 25, 2003. Their final recommendations are still forthcoming.

All state and federal agencies have been contacted. Their concerns have been addressed and modifications made as necessary. As no adverse impacts are anticipated during the course of the modified project, there should be no additional mitigation features required.

Appendix A: Agency Consultation List

Archaeological and Cultural

Tennessee Historical Commission
2941 Lebanon Road
Nashville, TN 37243

ATTN: Herb Harper
615-532-1550

Wild and Scenic Rivers

Department of Environment and Conservation
Division of Natural Heritage
14th Floor L&C Tower
401 Church Street
Nashville, TN 37243-0447

ATTN: Reggie Reeves
615-532-0431

Wetlands

Corps of Engineers-Nashville District
Regulatory Functions Branch
3701 Bell Road
Nashville, TN 37214

ATTN: Lisa Morris
615-369-7504

Threatened/Endangered Species

US Fish & Wildlife Service
446 Neal Street
Cookeville, TN 38501

ATTN: Wally Brines
931-528-6481

Important Farmland

Natural Resources Conservation Service
235 Oil Well Road
Jackson, TN 38305

ATTN: Charles Davis
731-668-0700

Water and Air Quality

Environmental Assistance Center
Division of Water Pollution Control
Department of Environment and Conservation
362 Carriage House Drive
Jackson, TN 38305

ATTN: Pat Patrick
731-512-1301

Environmental Assistance Center
Division of Air Pollution Control
Department of Environment and Conservation
362 Carriage House Drive
Jackson, TN 38305

ATTN: Mike Wellons
731-512-1336

Intergovernmental Review

Southwest TN Development District
27 Conrad Drive Suite 150
Jackson, TN 38305

ATTN: E. C. Robertson
731-668-6402

Local Planning Office
225 Dr. Martin L. King Drive
State Office Building Suite 302-A
Jackson, TN 38301

ATTN: Kim Robinson
731-423-5650

Indian Nations

Creek Nation of Oklahoma
Hwy 75 and Loop 56
Box 580
Okmulgee, Ok 74447-0580

ATTN: Tim Thompson
918-756-8700

Chickasaw Nation
Arlington at Mississippi
Box 1548
Ada, Ok 74821-1548

ATTN: Rena Duncan
580-332-8685



TENNESSEE HISTORICAL COMMISSION
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
2941 LEBANON ROAD
NASHVILLE, TN 37243-0442
(615) 532-1550

August 18, 2003

Mr. Bob Safin
TLM Associates
117 E. Lafayette Street
Jackson, Tennessee 38301

RE: HUD, REVISED PLANS, WATER SYSTEM IMPROVEMENTS,
PARSONS, DECATUR COUNTY, TN

Dear Mr. Safin:

At your request, our office has reviewed the above-referenced revised Water System Improvement plans with regulations codified at 36 CFR 800 (Federal Register, December 12, 2000, 77698-77739). Based on the information provided, we find that the project area, as re-designed, contains no archaeological resources eligible for listing in the National Register of Historic Places.

Therefore, this office has no objection to the implementation of this project. If project plans are changed or archaeological remains are discovered during construction, please contact this office to determine what further action, if any, will be necessary to comply with Section 106 of the National Historic Preservation Act.

Your cooperation is appreciated.

Sincerely,

Herbert L. Harper
Executive Director and
Deputy State Historic
Preservation Officer

HLH/jmb

cc: L. Frank Zerfoss, SWTDD



TENNESSEE HISTORICAL COMMISSION
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
2941 LEBANON ROAD
NASHVILLE, TN 37243-0442
(615) 532-1550

December 31, 2002

Mr. L. Frank Zerfoss
Southwest Tennessee Development District
27 Conrad Drive
Suite 150
Jackson, Tennessee 38305-2850

SWTD Jan 6, 2003

EXHIBIT 1

RE: HUD, WATER SYSTEM IMPROVEMENTS, PARSONS, DECATUR COUNTY

Dear Mr. Zerfoss:

The above-referenced undertaking has been reviewed with regard to National Historic Preservation Act compliance by the participating federal agency or its designated representative. Procedures for implementing Section 106 of the Act are codified at 36 CFR 800 (Federal Register, December 12, 2000, 77698-77739).

In order to complete our review of this undertaking, this office will need to receive from you a detailed archaeological survey report on the area of potential effect. Enclosed please find a list of individuals and organizations which have indicated a desire to work in Tennessee. This list is solely for the convenience of persons or firms seeking archaeological services. It does not indicate nor imply any sanction, certification, or approval by the State of Tennessee.

Upon receipt of the survey report, we will complete our review of this undertaking as expeditiously as possible. Until such time as this office has rendered a final comment on this project, your Section 106 obligation under federal law has not been met. Please inform this office if this project is canceled or not funded by the federal agency. Questions and comments may be directed to Jennifer Barnett (615) 741-1588, ext. 17.

Your cooperation is appreciated.

Sincerely,

Herbert L. Harper

Herbert L. Harper
Executive Director and
Deputy State Historic
Preservation Officer

HLH/jmb



27 Conrad Drive
Suite 150
Jackson, Tennessee 38105-2858
731-668-7112
731-668-6471
swtdd@swtdd.org

Terlyn C. Robertson, Jr., Executive Director

Debbie Fay McDaniel, Chairman

Mike Smith, Vice Chairman

Ray Gilmer, Secretary/Treasurer

CHESTER CLARK CLAYMAN CLAYTON CLAYTON CLAYTON CLAYTON CLAYTON CLAYTON

June 25, 2003

Mr. Herbert H. Harper, Executive Director
Tennessee Historical Commission
2941 Lebanon Road
Nashville, TN 37243-0442


RE: Archeological Phase 1 Section 106 review,
Parsons, TN Water System Improvements

Mr. Harper:

Enclosed is a copy of the Phase 1 Report for the above-mentioned project for SHPO consideration. Please direct any comments to the undersigned or Guy Weaver, Weaver and Associates in Memphis.

Please respond at your earliest convenience.

Sincerely,


L. Frank Zerfoss
Environmental Planner
SWTDD

End
as



TENNESSEE HISTORICAL COMMISSION
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
2941 LEBANON ROAD
NASHVILLE, TN 37243-0442
(615) 532-1550

July 8, 2003

*Sc 720
July 15, 2003*

Mr. L. Frank Zerfoss
Southwest Tennessee Development District
27 Conrad Drive
Suite 150
Jackson, Tennessee 38305-2850

RE: HUD, PHASE I ARCHAEOLOGICAL ASSESSMENT, WATER SYSTEM IMPROVEMENTS,
PARSONS, DECATUR COUNTY,

Dear Mr. Zerfoss:

At your request, our office has reviewed the above-referenced archaeological survey report in accordance with regulations codified at 36 CFR 800 (Federal Register, December 12, 2000, 77698-77739). Based on the information provided, we concur that the project area contains archaeological resources potentially eligible for listing in the National Register of Historic Places. In addition there are several areas designated in the report that while, outside the immediate project area, have the potential to be affected by construction activities.

Archaeological sites 40DR8, 40DR142, 40DR143, 40DR148, 40DR149, 40DR150, 40DR151, 40DR315, and 40DR319 should either be subjected to additional Phase II archaeological investigation, or avoided by all construction activities. Sites 40DR141, 40DR147, 40DR316, and 40DR318 are outside of the immediate area of potential effect, however they contain sensitive archaeological and architectural resources. Care should be taken so as to avoid impacts to these sites during construction. Upon receipt of the Phase II testing report or avoidance strategy, we will complete our review of this undertaking as expeditiously as possible. Please submit a minimum of two copies of each final report and complete Tennessee Site Survey Forms to this office in accordance with the Tennessee Historical Commission Review and Compliance Section Reporting Standards and Guidelines. Until such time as this office has rendered a final comment on this project, your Section 106 obligation under federal law has not been met. Please inform this office if this project is canceled or not funded by the federal agency. Questions and comments may be directed to Jennifer M. Barnett (615) 741-1588, ext. 17.

Your cooperation is appreciated.

Sincerely,

Herbert L. Harper
Executive Director and
Deputy State Historic
Preservation Officer

HLH/jmb



August 4, 2003

Jennifer Barnett
Tennessee Historical Commission
Department of Environment and Conservation
2941 Lebanon Road
Nashville, TN 37243-0442

RE: Water System Improvements
Parsons, Decatur County

Dear Ms. Barnett:

At your request, I am sending you a revised plan of our Water System Improvement project for the city of Parsons, TN. We concur with the recommendations made by Weaver and Associates, LLC in their Phase I Cultural Resources Survey and have revised our design accordingly.

The changes that were made to the proposed route are as follows:

1. The proposed intake structure has been moved to the north to avoid impact to site 40Dr8.
2. The proposed pipeline has been shifted north from its original route crossing the ridge between Stations 285+00 and 297+00, onto existing road and T.V.A. right of way. This move was made to avoid impact to sites 40Dr142, 143, 149, 150, 151 and 319.
3. The proposed water pipeline has been shifted south between Stations 131+00 and 135+50. This adjustment will avoid impact to site 40Dr315.

The new route of the pipeline is shown on the attached plan. Stationing has changed due to the relocation and no longer correlates to that in the Weaver and Associates report.

These revisions will eliminate any effect that the project will have on these sites. In addition to the revisions, restrictions will be placed on where contractors can store equipment and material. Contractors will be required to take every precaution necessary to avoid impacting any of the listed sites.

If you need any additional information please contact Bob Safin or Randy McKinnon at (731)-988-9840.

TLM Associates, Inc.
Architects + Engineers

A handwritten signature in cursive script that reads 'Bob Safin'.

Bob Safin
Engineer-in-Training

**Department of Economic
and Community Development**


TENNESSEE

Local Planning Assistance Office
West Tennessee Region
Jackson State Office Building, Suite 302-A
Jackson, Tennessee, 38301
901-423-5650

EXHIBIT 2

MEMORANDUM

To: L. Frank Zerfross *[Signature] SWTD Jan 10, 2003*
From: Kim Robinson
Date: January 6, 2003
Subject: CDBG 2002 Block Grant for Parsons, TN

Mr. Zerfross,

Thank you for the information and involvement of the Local Planning Office in the current raw water line project in Decatur County. In response to your letter, the Office of Local Planning request that the project comply with all flood proofing procedures and standards for flood hazard reduction. Please contact the Local Planning Office at 731-423-5650, fax 731-426-0640, if you need further assistance.

Thanks,

Kim Robinson

Kim Robinson
Community Planner
West Tennessee Local Planning Office



DEPARTMENT OF THE ARMY
NASHVILLE DISTRICT, CORPS OF ENGINEERS
3701 Bell Road
NASHVILLE, TENNESSEE 37214
December 27, 2002

EXHIBIT 3

REPLY TO
ATTENTION OF
Regulatory Branch

SUBJECT: File No. 2002-02143; Proposed 2002 City of Parsons, TN
Water Systems Rehabilitation and Proposed Intake at Tennessee
River Mile 136.0, Left Bank, Decatur County, TN

Mr. L. Frank Zerfoss, SWDD
27 Conrad Drive, Suite 150
Jackson, TN 38305-2850

SWDD
Jan 2, 2003

Dear Mr. Zerfoss:

This concerns your request for comments, by letter dated December 16, 2002, regarding the subject proposed project on behalf of the City of Parsons, TN.

My preliminary jurisdictional determination is that a Department of the Army (DA) permit would be required for the work proposed in your request. A proposed water intake on the Tennessee River and trench backfill associated with utility pipeline crossings of creeks and/or work in wetlands requires a DA approval. Enclosed is a Notification of Applicant Options, which explains available options, regarding this determination.

The work proposed would likely require a public notice and preparation of an environmental assessment. Further, the work would likely require a permit from the Tennessee Valley Authority (TVA). When available, please provide detailed plans of the proposed work with descriptions on 8 1/2" x 11" sized paper to TVA and us. Please contact me if you need assistance with regulated elevations for the intake or any other information.

We appreciate your awareness of the regulatory program. If you have any questions or comments contact me at the above address or phone (615) 369-7504.

Sincerely,

Lisa R. Morris

Lisa R. Morris
Project Manager
Construction-Operation Division

Enclosures
Copy Furnished:
Randy Lowe, Tennessee Valley Authority
P.O. Box 280
Paris, TN 38242

CELRN-CO-F/W

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant:	File Number:	Date:
Attached is:		See Section below
INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)		A
PROFFERED PERMIT (Standard Permit or Letter of permission)		B
PERMIT DENIAL		C
APPROVED JURISDICTIONAL DETERMINATION		D
PRELIMINARY JURISDICTIONAL DETERMINATION		E

SECTION I: The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at http://usace.army.mil/med/function/cw/ecswd/Pa_3 Corps regulations at 33 CFR Part 333.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.



DEPARTMENT OF THE ARMY
NASHVILLE DISTRICT, CORPS OF ENGINEERS
3701 Bell Road
NASHVILLE, TENNESSEE 37214

REPLY TO
ATTENTION OF:

February 6, 2003

EXHIBIT 3

Regulatory Branch

SUBJECT: File No. 2002-02143; Preliminary Jurisdictional Determination for a Proposed Water Intake at Tennessee River Mile 136.1, Left Bank, and Associated Distribution Lines, Decatur County, TN

WJ Feb 10, 2003
Mr. Frank Zerfoss
Southwest Tennessee Development District
27 Conrad Drive, Suite 150
Jackson, TN 38305-2850

Dear Mr. Zerfoss:

This is in further regard to my meeting with you, Mayor Boaz, and Mr. McKinnon, on January 31, 2003. During the meeting you described your plans for the proposed water intake project and asked me if wetlands located along the pipeline route are regulated waters of the United States (US). Based upon my findings during our meeting and the on-site inspection after the meeting, I can make a preliminary jurisdictional determination. Of course, once your plans are complete, I will make a more detailed determination. Your project has been assigned File No. 200101769.

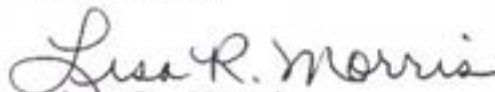
First of all, the intake structure, in a navigable water of the US, will require an individual permit, public notice, and preparation of an environmental assessment (either by my office or the Tennessee Valley Authority). And based upon our onsite investigation, the three-wetland areas investigated are also waters of the US. Any filling activities required in these areas would require a DA permit. The three-wetland areas appeared to meet all the required characteristics to be classified as wetlands; i.e., presence of hydric soils, a predominance of hydrophilic vegetation, and evidence of sufficient hydrology. See attached Wetlands Inventory Map and highlighted locations.

Our preliminary jurisdictional determination is that the proposed intake site is located on a commercially navigable section of the river and all three-wetland sites investigated are adjacent and/or contiguous to waters of the U.S. and subject to Corps of Engineers' regulatory jurisdiction under Section 404 of the Clean Water Act. I have documented the detailed findings of my inspection in a memorandum for the file.

During our meeting, Mr. McKinnon asked for examples of recently permitted water intake projects (applications and permits). With his copy of this letter, I am sending me some examples. Mr. McKinnon also asked about the possibility of the Corps performing a sounding to obtain the existing bottom elevations of the river at this location. We would be happy to provide those elevations for you, free of charge to you, upon written request from your agency. This would involve taking our boat to the site and running back and forth over the river bottom at five to ten foot intervals. It would likely take about one hour and a representative from your group would need to be present. You also asked about Tinker Sand and Gravel Company, a company that currently dredges sand and gravel at the site. Tinker's permit does not allow them to dredge within 100-feet of the shoreline, nor does it allow dredging within 500-feet of water intakes. This matter would be addressed during the public interest review. Regarding the need for a mussel survey, one will probably be needed within the first 100-feet of the shoreline; however, I have forwarded this question to John Jenkinson, TVA, and he will be able to give us a clearer picture on this issue. Since TVA will be lead federal agency on this proposal (TVA easement), he would be your point of contact on this issue.

We appreciate your awareness of our regulatory program. Enclosed is a map indicating the area investigated. Also enclosed is a Notification of Applicant Options (NAO) which explains available options regarding this determination. If you have any more questions between now and the time you submit the application, please contact me at the above address or phone (615) 369-7504.

Sincerely,



Lisa R. Morris
Project Manager
Construction-Operation Division

Enclosures

Copy Furnished:
Mr. Randy McKinnon
TLM Associates, Inc.
117 East Lafayette Street
Jackson, TN 38301

Mr. Randy Lowe
Tennessee Valley Authority
P.O. Box 280
Paris, TN 38242

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant:	File Number:	Date:
Attached is:	See Section below	
INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A	
PROFFERED PERMIT (Standard Permit or Letter of permission)	B	
PERMIT DENIAL	C	
APPROVED JURISDICTIONAL DETERMINATION	D	
PRELIMINARY JURISDICTIONAL DETERMINATION	E	

SECTION I: The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <http://usace.army.mil/incl/functions/corps/corps.html> or Corps regulations at 13 CFR Part 33.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

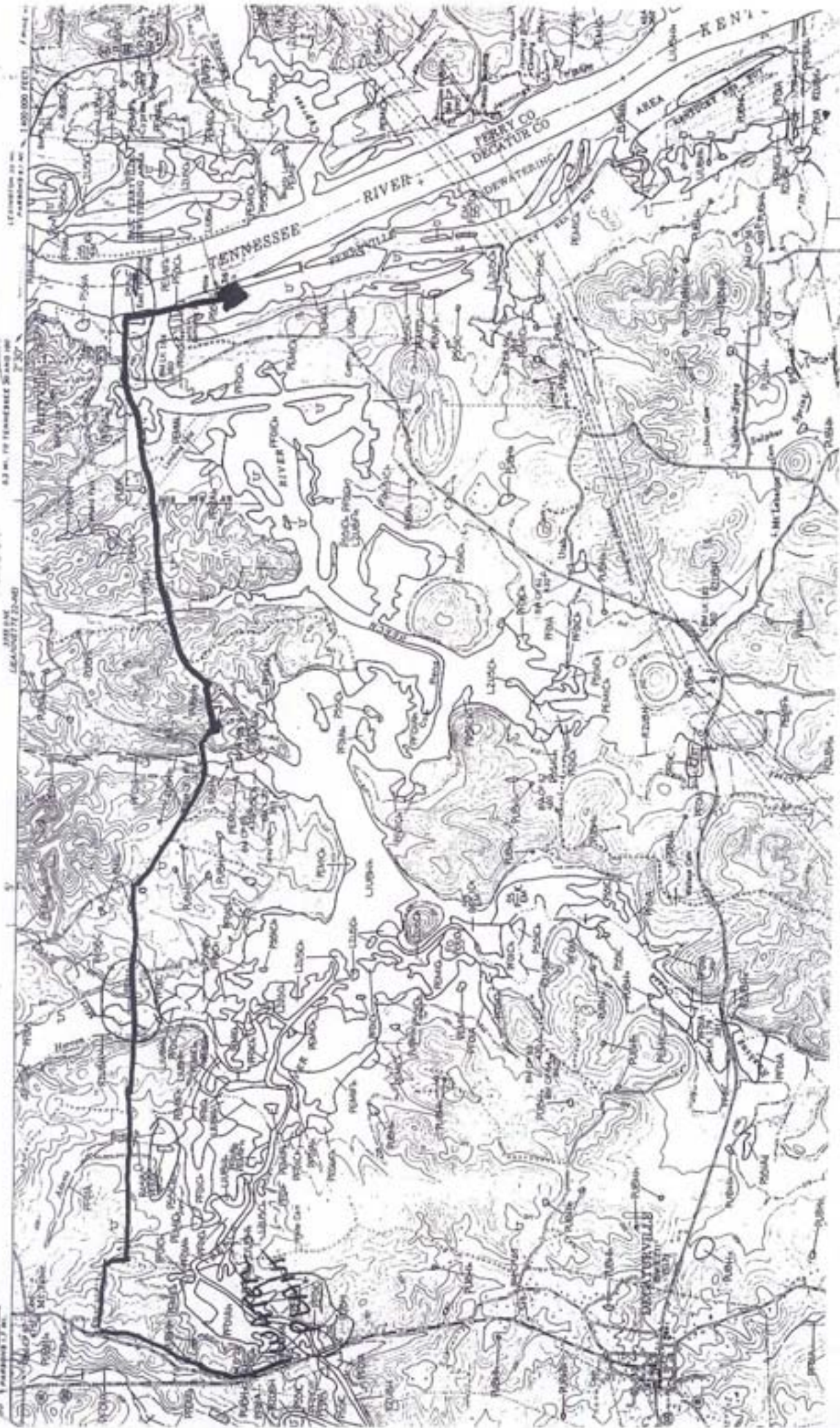
PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

WETLANDS
HIGHLIGHTED

NATIONAL WETLANDS INVENTORY
UNITED STATES DEPARTMENT OF THE INTERIOR

John Jenkins

IRVING, TENN.



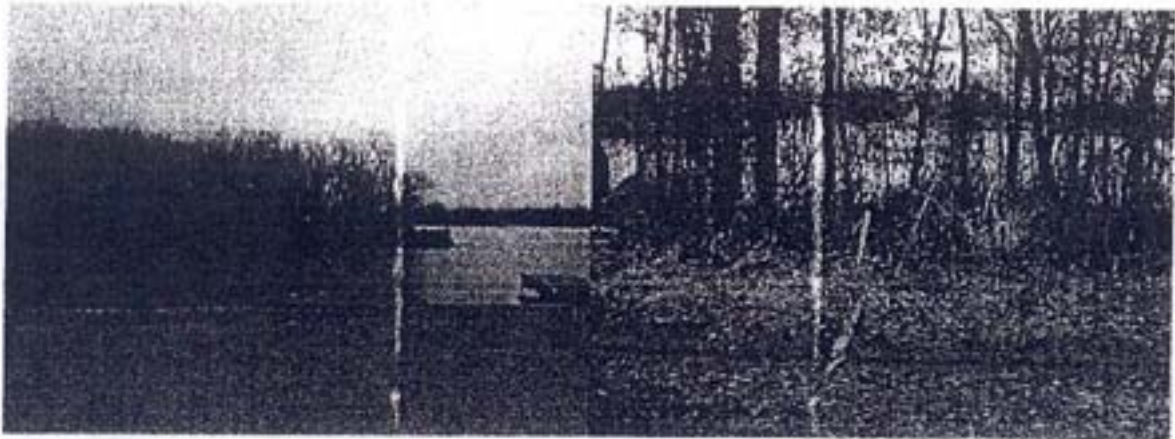


Photo 1 shows a proposed pipeline crossing the mouth of the Beech River to head towards the existing water treatment plant

Photo 2 shows the site for the proposed intake



Photo 3 shows the intake site with a Tinker Sand and Gravel Boat working in the river across the way. Tinker cannot dredge gravel between TRM 35 and 36. The dredge is located right on the Mile 36 marker. The intake would be located around TRM 36.1L.

Photo 4 shows the river looking downstream.

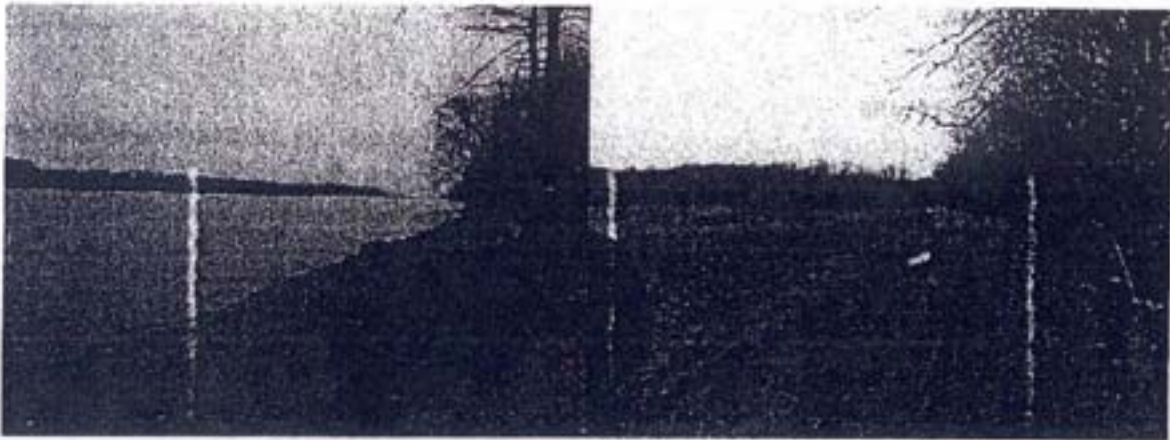


Photo 5 shows the river looking upstream. Photo 6 shows the existing roadbed that the pipeline will run through to reach the intake site.

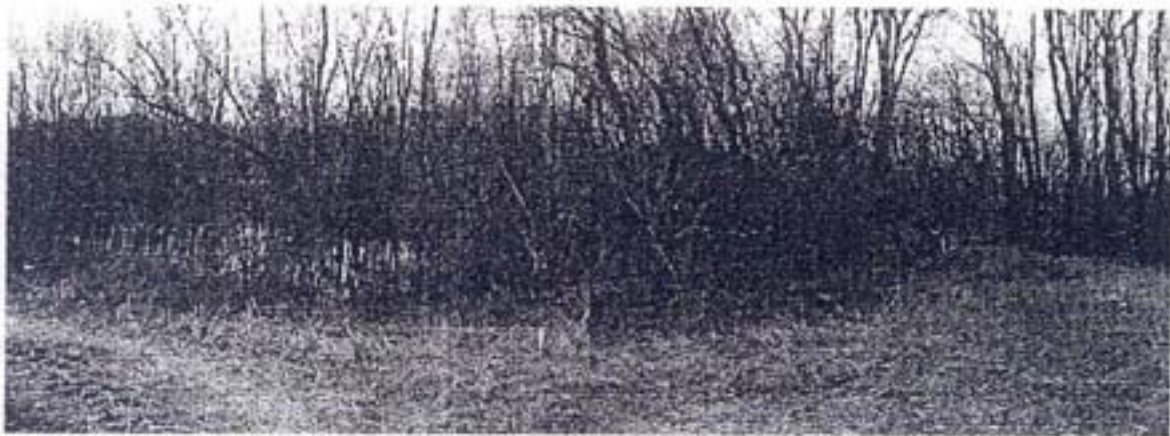


Photo 7 shows a small wetland pocket with small diameter trees. Otherwise the pipeline would follow existing roadways, as shown in Photo 8.



Photo 9, 10, and 12 shows a large wetland adjacent to the river and Tinker Sand and Gravel Company that would not be crossed. Photo 11 shows that Tinker may be stockpiling materials on wetlands.



Photo 13 shows a wetland that would be crossed by the proposed pipeline. Supposedly, a 50-foot corridor would be required and cleared. Photo 14 shows a cleared path that would be used.

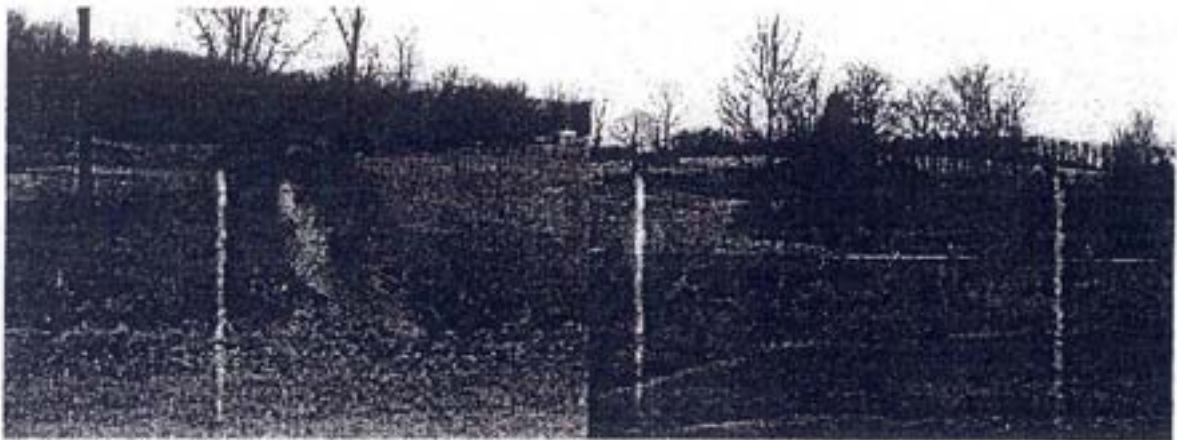
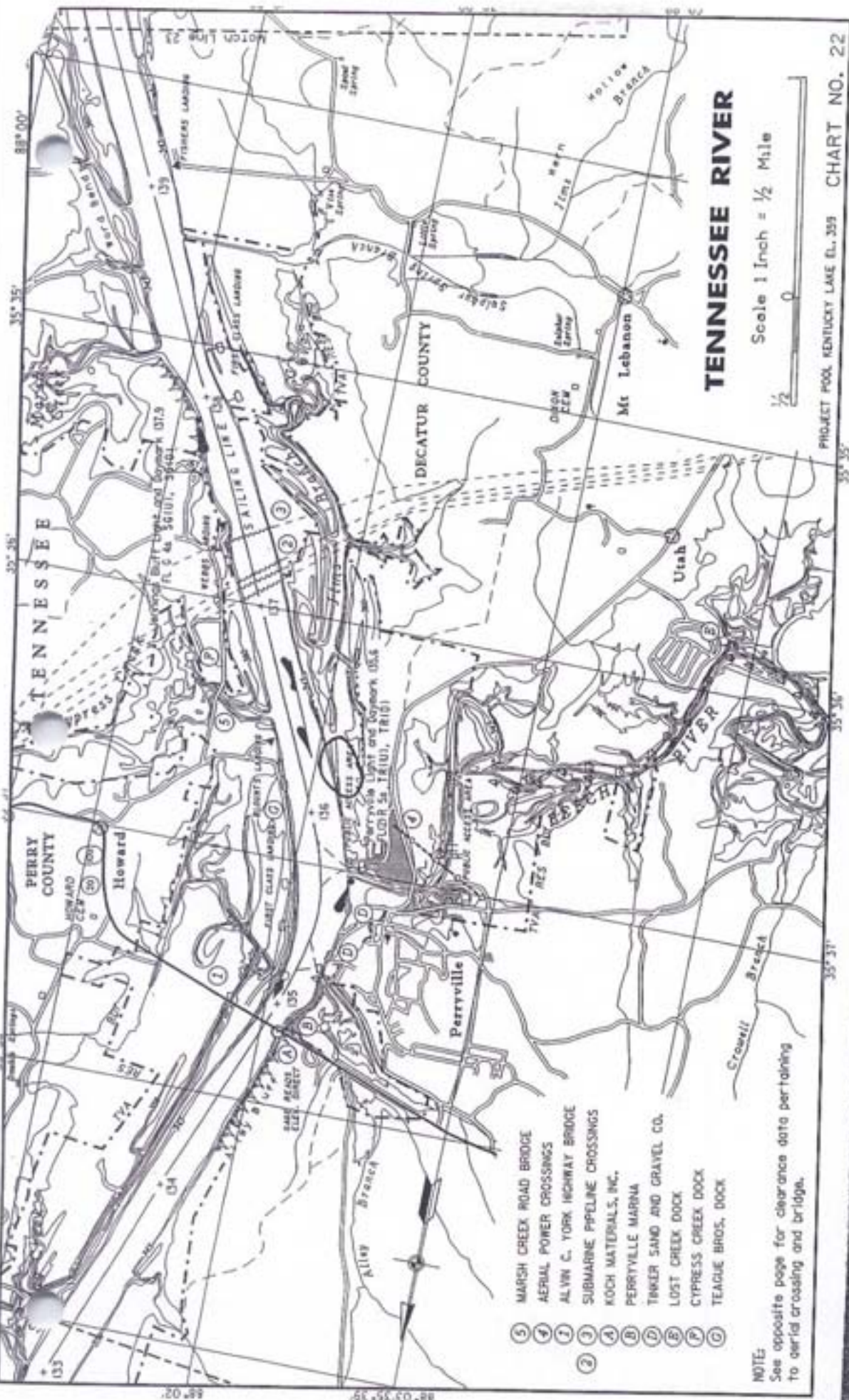


Photo 15 and 16 shows two small creeks that would be crossed. Photo 16 is on water treatment plant property. And Photo 17 below shows the waster water and water treatment plant.





TENNESSEE RIVER & TRIBUTARIES CHANNEL GRADE DATA

Mile		Channel Grade Elevation
From	To	
22.5	22.3	288.0
22.3	22.4	289.0
Kentucky Project		
22.4	70.0	335.0
70.0	86.0	336.0
86.0	98.0	337.0
98.0	83.0	339.0
83.0	135.0	340.0
135.0	203.0	343.0
203.0	206.7	344.0
Pickwick Project		
206.7	259.4	397.0
Wilson Project		
259.4	274.3	493.0
Wheeler Project		
274.3	327.0	536.0
327.0	332.0	538.5
332.0	349.0	539.5
Guntersville Project		
349.0	409.0	580.0
409.0	424.7	582.0

Mile		Channel Grade Elevation
From	To	
424.7	471.0	620.0
Nickajack Project		
471.0	505.0	662.0
505.0	55.0	663.0
55.0	529.3	664.0
Chickamauga Project		
529.3	580.0	722.0
580.0	585.0	723.0
585.0	602.3	724.0
Watts Bar Project		
602.3	640.0	794.0
640.0	647.4	796.0
647.4	649.0	797.0
649.0	652.1	800.0
Fort Loudoun Project		
652.1	653.0	800.0
Barkley Canal		
653.0	654.0	800.0
Bear Creek		
654.0	655.0	800.0
Big Sandy		
655.0	656.0	800.0

Mile		Channel Grade Elevation
From	To	
0.0	7.3	722.0
7.3	23.1	724.0
Clinch River		
23.1	56.5	779.0
56.5	64.5	780.0
Melton Hill Project		
64.5	64.5	780.0
Elk River		
64.5	4.0	535.0
4.0	12.2	724.0
Emory River		
12.2	16.0	663.0
16.0	20.4	664.0
Hiwassee River		
20.4	5.0	722.0
Piney River		
5.0	5.0	722.0

Mile		Channel Grade Elevation
From	To	
0.0	18.1	794.0
Soddy Creek		
18.1	443.4	397.0
Tennessee-Tombigbee Waterway		
443.4	450.7	397.0
Little Tennessee River		
450.7	450.7	397.0



EXHIBIT 5

ENVIRONMENTAL ASSISTANCE CENTER
TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
362 CARRIAGE HOUSE DRIVE
JACKSON, TENNESSEE 38305-2222
PHONE (731) 512-1300 STATEWIDE 1-888-891-8332 FAX (731) 661-6283

January 24, 2003

Mr. Frank Zerross
Environmental Planner
SWTDD
27 Conrad Drive, Suite 150
Jackson, TN 38305

Jan 28, 2003

Re: Parsons Water System Improvements
Henderson County

Dear Frank,

The following water related issues could be involved in the proposed project:

- The intake of water from the Tennessee River could require an Aquatic Resource Alteration Permit (ARAP). If a 404 permit is required by the Army Corp of Engineers, then the 401 certification takes the place of the ARAP.
- The construction of the water intake could also require the same permits.
- The route of the main should be selected to avoid wetlands and minimize the number of stream crossings. ARAP or 404/401 permits will be needed for the water line crossing of streams and/or wetlands.
- The construction of the intake and water line will disturb more than 5 acres and that limit will be reduced to 1 acre on March 10, 2003, therefore, coverage under the NPDES General Permit for the Discharge of Storm Water from a Construction Activity will be required of the city and the contractors. A Storm Water Pollution Prevention Plan must be developed for the project.

For addition information you may contact me at 731-512-1301.

Sincerely,

Pat Patrick, Manager
Division of Water Pollution Control



United States Department of the Interior

FISH AND WILDLIFE SERVICE

446 Neal Street
Cookeville, TN 38501

August 8, 2003

EXHIBIT 6a

Mr. L. Frank Zerfoss
Wildlife Biologist
Southwest Tennessee Development District
27 Conrad Drive, Suite 150
Jackson, Tennessee 38305-2850

Re: FWS #03-0552A

Dear Mr. Zerfoss:

Fish and Wildlife Service personnel have reviewed the information provided in your correspondence of July 10, 2003, and July 17, 2003 regarding the potential presence of the federally listed gray bat (*Myotis grisescens*) (E), orange-foot pimpleback mussel (*Plethobasus cooperianus*) (E), and ring pink mussel (*Obovaria retusa*) (E) within the impact area of the City of Parson's proposed 2002 CDBG Water Systems Improvements Project in Decatur County, Tennessee. We offer the following comments.

Based on the information which you provided, we anticipate that the proposed project is not likely to adversely affect the gray bat, orange-foot pimpleback mussel, and ring pink mussel. Accordingly, we believe that the requirements of Section 7 of the Endangered Species Act (Act) have been fulfilled for these three species and that no further consultation is needed at this time. However, obligations under Section 7 of the Act must be reconsidered if: (1) new information reveals that the proposed action may affect listed species in a manner or to an extent not previously considered, (2) the proposed action is subsequently modified to include activities which were not considered in this biological assessment, or (3) new species are listed or critical habitat designated that might be affected by the proposed action.

Your interest and initiative to protect endangered and threatened species is greatly appreciated. If you have questions regarding this response or if we can be of further assistance, please contact Wally Brines of my staff at 931/528-6481, extension 222.

Sincerely,

Lee A. Barclay, Ph.D.
Field Supervisor



United States Department of the Interior

FISH AND WILDLIFE SERVICE

446 Neal Street
Cookeville, TN 38501

January 28, 2003

EXHIBIT 6

Mr. L. Frank Zerfoss
Wildlife Biologist
Southwest Tennessee Development District
27 Conrad Drive, Suite 150
Jackson, Tennessee 38305-2850

Re: FWS #03-0552

Dear Mr. Zerfoss:

Thank you for your correspondence of December 16, 2002, regarding the City of Parson's proposed 2002 CDBG Water Systems Improvements Project in Decatur County, Tennessee. The City proposes to install approximately 6.5 miles of water line from a proposed new water intake to an existing water treatment plant as shown on the attachments to your correspondence. Fish and Wildlife Service (Service) personnel have reviewed the information submitted and we offer the following comments.

Information available to the Service indicates that wetlands exist in the vicinity of the proposed project. Attached is a copy of a portion of the National Wetlands Inventory's Perryville, Tennessee, quadrangle with the referenced wetlands highlighted. This information is provided for your convenience. Our wetlands determination has been made in the absence of a field inspection and does not constitute a wetlands delineation for the purposes of Section 404 of the Clean Water Act. The Corps of Engineers should be contacted regarding the presence of regulatory wetlands and the requirements of wetlands protection statutes.

We note that the proposed water line will require stream crossings. We recommend that silt barriers be put in place when working adjacent to all streams to prevent runoff of sediment. Conventional trenching techniques used to cross streams could result in adverse impacts to stream habitat and water quality. The attachment of pipeline(s) to road bridges would avoid and minimize impacts to stream habitat and water quality. If trenching is necessary, it should be accomplished during low flow periods. Streambanks should be reseeded with native vegetation beneficial to wildlife immediately following completion of the stream crossing, disturbed surfaces should be restored to original contours, and excess materials removed to a properly confined upland area.

According to our records, the following federally listed endangered species may occur in the project impact area:

Gray bat (*Myotis grisescens*)
Orangefoot pimpleback mussel (*Plethobasus cooperianus*)
Ring pink mussel (*Obovaria retusa*)

Qualified biologists should assess potential impacts and determine if the proposed project may affect these species. A finding of "may affect" could require initiation of formal consultation. Please submit a copy of your assessment and findings to this office for review and concurrence.

Thank you for the opportunity to comment on this action. If you have any questions regarding the information which we have provided, please contact Wally Brines of my staff at 931/528-6481, extension 222.

Sincerely,

A handwritten signature in black ink, appearing to read "Lee A. Barclay". The signature is fluid and cursive, with the first name "Lee" and last name "Barclay" clearly distinguishable.

Lee A. Barclay, Ph.D.
Field Supervisor

Attachment



27 Central Drive
Suite 150
Jackson, Tennessee 38305-7856
731 588 7112
731 658 6421
swtdd@swtdd.org

Erlyn C. Robinson, Jr., Executive Director

Donna Ray McDaniel, Chairman

Mike Smith, Vice Chairman

Tracy Adams, Secretary/Treasurer

CHESLER JACATOR RAPELMAN RAFFIN WATWOOD HINDERGER MADON MCKINLEY

EXHIBIT 7


April 22, 2003

Memorandum For Record: To Whom It May Concern

Subject: Wild & Scenic Rivers Impacts – Parsons Water Improvements CDBG 2002

1. A review of the Tennessee Department of Environment and Conservation web site for Wild and Scenic Rivers indicates that no listed streams are within the project area or would be impacted by the Parsons Water Intake Structure (TN River RM 136) CDBG project. This review was done June 30, 2003 and documented that date.
2. Contact the undersigned if questions arise at 731-668-6408.

Sincerely,


L. Frank Zerboss
Environmental Planner
SWTDD



ENVIRONMENTAL ASSISTANCE CENTER
TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
362 CARRIAGE HOUSE DRIVE
JACKSON, TENNESSEE 38305-2222
PHONE (731) 512-1300 STATEWIDE 1-888-891-8332 FAX (731) 661-6283

EXHIBIT 8

December 18, 2002

Mr. L. Frank Zerfoss, Environmental Planner
Southwest Tennessee Development District
27 Conrad Drive, Suite 150
Jackson, Tennessee 38305-2850

RE: Parsons, TN, Water System Improvements, 2002 CDBG Grant

Dear Frank:

In reference to this project, the Tennessee Division of Air Pollution Control does not anticipate any adverse impact to air quality.

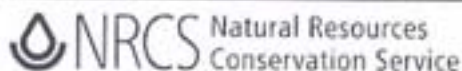
Thank you for the opportunity to comment on this project.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mike Wellons", is written over the typed name.

Mike Wellons, Manager
Division of Air Pollution Control
Jackson Environmental Assistance Center

C: 20-10000



235 Oil Well Road, Jackson, Tennessee 38305

January 10, 2003

EXHIBIT 1P

Mr. L. Frank Zerfoss
Environmental Planner
Southwest Tennessee Development District
27 Conrad Drive, Suite 150
Jackson, Tennessee 38305-2850

[Handwritten signature: L. Frank Zerfoss]
[Handwritten date: Jan 14, 2003]

Re: Parsons, TN Water System Improvements

Dear Mr. Zerfoss:

We have reviewed your request for the identification of prime farmland for the above-mentioned project in Decatur County, Tennessee. Due to the nature of the project (underground waterline and pump station converting less than one acre of surface area) this area is exempt for further consideration under the Farmland Protection Policy Act.

Some areas along the Tennessee River may flood for long periods of time. Therefore, there could be areas that would meet the criteria for wetlands. An onsite investigation may be needed to identify any adverse impacts this project would have on wetlands that may occur in the area.

If there are any additional questions please contact me at (731) 668-0700.

[Handwritten signature: Charles L. Davis]
Charles L. Davis
Resource Soil Scientist



77 Conrad Drive
Suite 150
Jackson, Tennessee 38305-2850
731-688-7102
731-688-6421
swtdd@swtdd.org

Evelyn C. Robertson, Jr., Executive Director

Devin Roy McGee, Chairman

Mike Smith, Vice Chairman

CHESTER DECATUR HAMILTON HARRIS HAYWOOD HENDERSON MADISON MEMPHIS

Tony Kline, Secretary-Treasurer

August 12, 2003

Memorandum For: TN Dept. of ECD and US Dept. of Ag. – Rural Development

Subject: Review of Parsons Water Improvements Project

1. The SWTDD has reviewed the Parsons Water Improvements Project funded jointly through the Community Development Block Grant program and USDA-RD. We believe this to be an excellent project.
2. Contact the undersigned if further information is required.

Sincerely,

Evelyn C. Robertson
Southwest TN Development District
Executive Director



27 Canal Drive
Suite 150
Jackson, Tennessee 38305-2850
731-668-7112
731-668-6421
swtdd@swtdd.org

Leifert C. Robertson, Jr., Executive Director

Genie Rae McDaniel, Chairman

Mike Smith, Vice Chairman

Tracy Miller, Secretary/Treasurer

CHESTER CECILIE HARDMAN HARDIN HAYWIDE HENDERSON MADISON MCNALLY

August 13, 2003

Ms Rena Duncan
Chickasaw Nation
American Building
124 S. Broadway Suite 310
Ada, Ok 74820

RE: Parsons, TN Water Improvements Phase 1 Archaeological/Cultural Survey USAD-RD
Environmental Review Report

Ms. Duncan:

Enclosed is a copy of the Cultural Resources Survey for Parsons Water Improvements project. This was developed at the direction of the TN SHPO office in Nashville. I have included correspondence with Lt Gov. Keel and my original letter forwarding this report on July 7, 2003. Please review the document and respond at your earliest convenience. I am trying to pull the ERR together so that it may be forwarded to USDR-Rural Development to release funds for the project.

Thanks for your help. Give me a call if you need anything further. My e-mail address is Zerfoss@swtdd.org phone 731-668-6408.

Sincerely,


L. Frank Zerfoss
Environmental Planner
SWTDD



27 Conrad Drive
Suite 150
Jackson, Tennessee 38305-2850
731-668-7112
731-668-6421
swtdd@swtdd.org

Exelys C. Robertson, Jr., Executive Director

Dennis Ray McDaniel, Chairman

Mike Smith, Vice Chairman

Troy Kilzer, Secretary/Treasurer

CHESTER CLARK/8 HARDMAN HARDY HARWOOD HENDERSON MASONRY MCNABBY

July 7, 2003

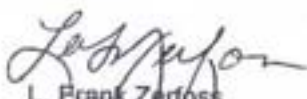
Mr. Jefferson Keel, Lt. Governor
The Chickasaw Nation
Arlington at Mississippi
Box 1548
Ada, Ok 74821-1548

Mr. Keel:

In early January of this year I contacted you concerning the City of Parsons, TN CDBG Water Improvements project on the TN River. Your response (see enclosed) asked for further information. Based on this and the TN Historical Commission's request a Section 106 review has been completed for the proposed project. I believe this report addresses your concerns. A copy is enclosed for your review.

Please contact me at your earliest convenience if you have further questions (731-668-6408). My e-mail address is Zerfoss@swtdd.org.

Sincerely,


L. Frank Zerfoss
Wildlife Biologist
SWTDD

Encl
as



the
Chickasaw
Nation HEADQUARTERS

Arlington at Mississippi / Box 1548 / Ada, OK 74821-1548 / (580) 436-2603

Bill Anoatubby
Governor

Jefferson Keel
Lieutenant
Governor

January 17, 2003

Mr. L. Frank Zerfoss *Zerfoss*
SWTDD
27 Conrad Drive
Suite 150
Jackson, TN 38305-2850

Dear Mr. Zerfoss:

In response to your letter regarding the presence of historic properties or traditional cultural, religious and/or sacred sites related to the Chickasaw Nation which may be impacted by the proposed project Parsons, TN Water System Improvements CDGB 2002 Grant/USDA Rural Development Grant & Loan, the following was determined. Due to the historic presence of the Chickasaw Nation and our ancestors in the area of consideration, there is a strong likelihood of such sites being encountered at this location.

Since the issuance of a permit by a federal agency is an undertaking under the National Historical Preservation Act (NHPA, 16 USC §470, et seq.) we, therefore, require the following in order to enable us to make a determination. Facsimile transmissions of information are not sufficient due to the degradation of detailed information that is necessary for decision making.

- Township, range and section (TRS) of all areas covered by the permit application.
- An archaeological survey report by a registered professional archaeologist who meets the Secretary of the Interior's standards.
- Location of proposed permit area plotted on copies of USGS 7.5' series topographic maps.
- A copy of historic property TRS search conducted by the state-wide archaeological inventory of the state in question.



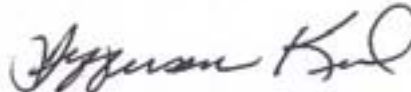
God Bless America!

- Detailed description of methodologies for construction. Specify all facets that will entail soil disturbance.
- Detailed description of the land that indicates the degree of historical and current disturbance.
- Original color photographs of the site in question (optional).

Upon receipt of these materials, we will review them and make a determination of the appropriate response. Once these conditions have been met, we will supply you with two copies of a standardized Letter of Understanding, stipulating our consent to project Parsons, TN Water System Improvements CDGB 2002 Grant/USDA Rural Development Grant & Loan and outlining the procedures to be followed in case of any inadvertent discoveries during the course of this project. As soon as you return a signed copy of the Letter of Understanding, we will sign and return one copy for your files and you will be free to begin work on this project.

Your prompt response will be appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Jefferson Keel".

Jefferson Keel, Lt. Governor
The Chickasaw Nation



Creek Nation of Oklahoma

Cultural and Historic Preservation

January 15, 2003

L. Frank Zerfoss
SWTDD
27 Conrad Drive, Suite 150
Jackson, TN 38305-2850

RE: Grant for improvement of existing water system

Raw water supply for city of Parsons, Decatur Co., TN

Dear Mr. Zerfoss,

We thank you for notifying the Muscogee (Creek) Nation of Oklahoma. In looking at the project location and checking with our resources, we do not foresee any impact by the undertaking of this project.

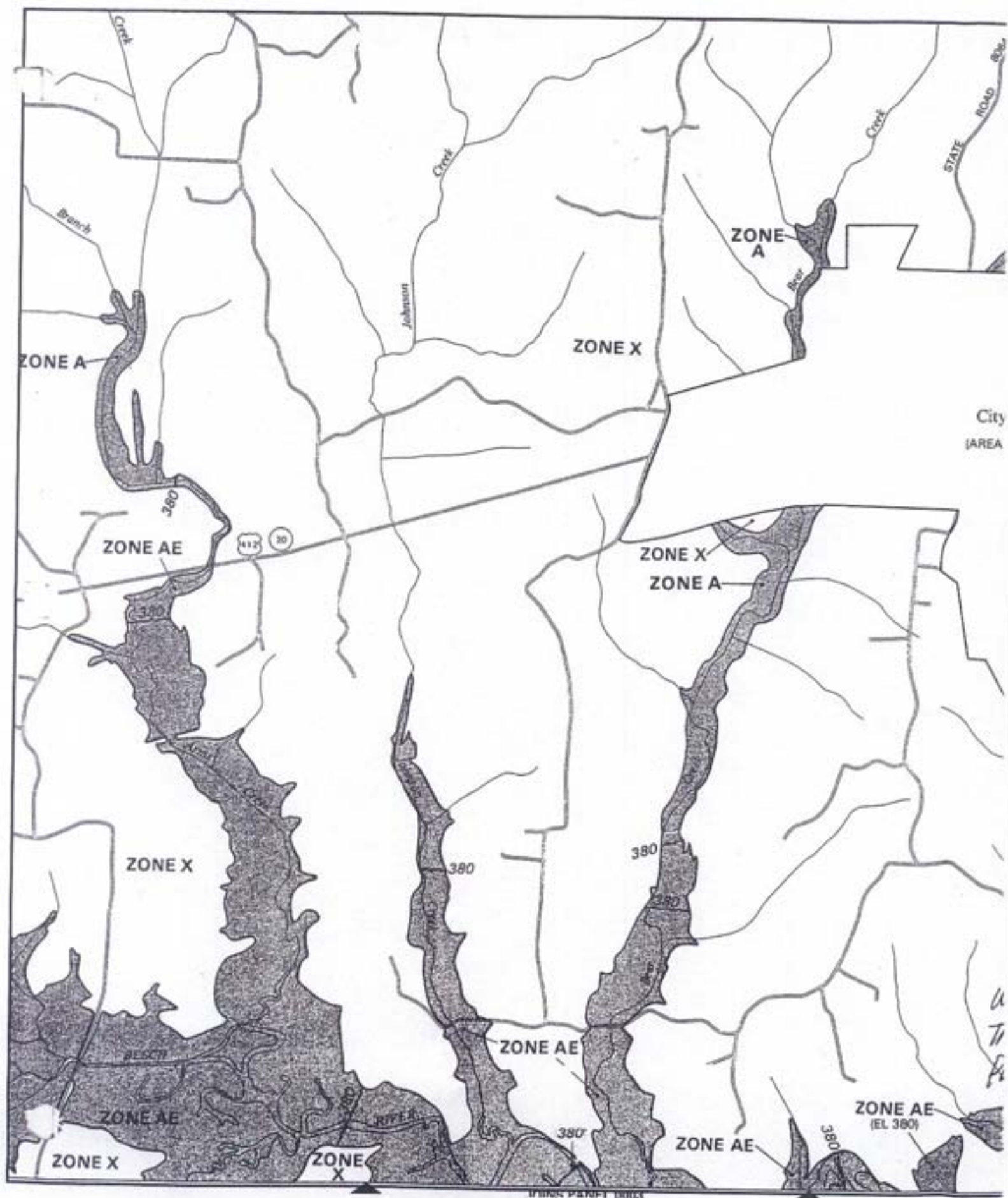
However, we expect to be notified in case of **inadvertent** discoveries within the project acreage that are pertinent to the Muscogee (Creek) Nation of Oklahoma as required by the Cultural and Historic Preservation Laws that are applicable.

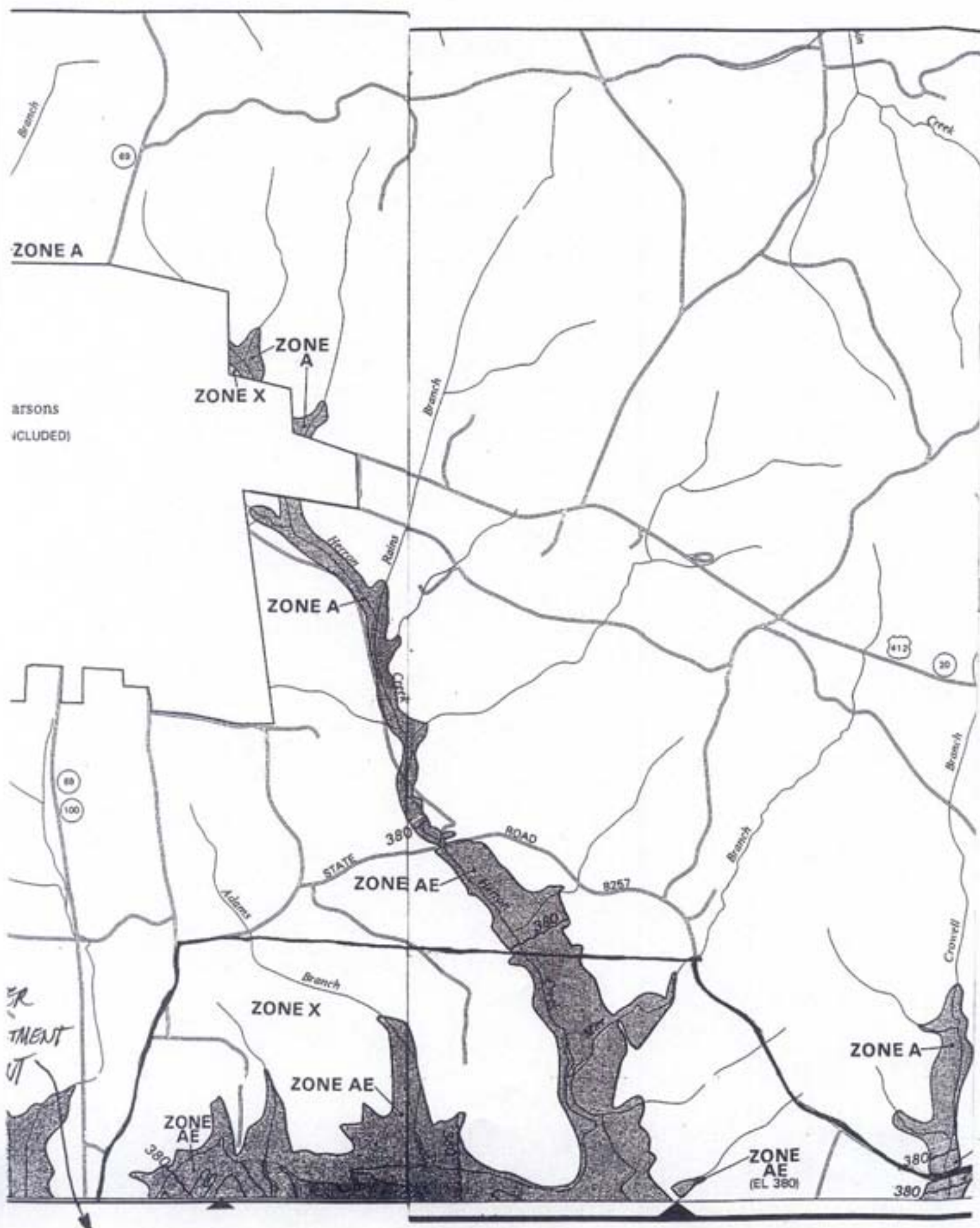
Sincerely,

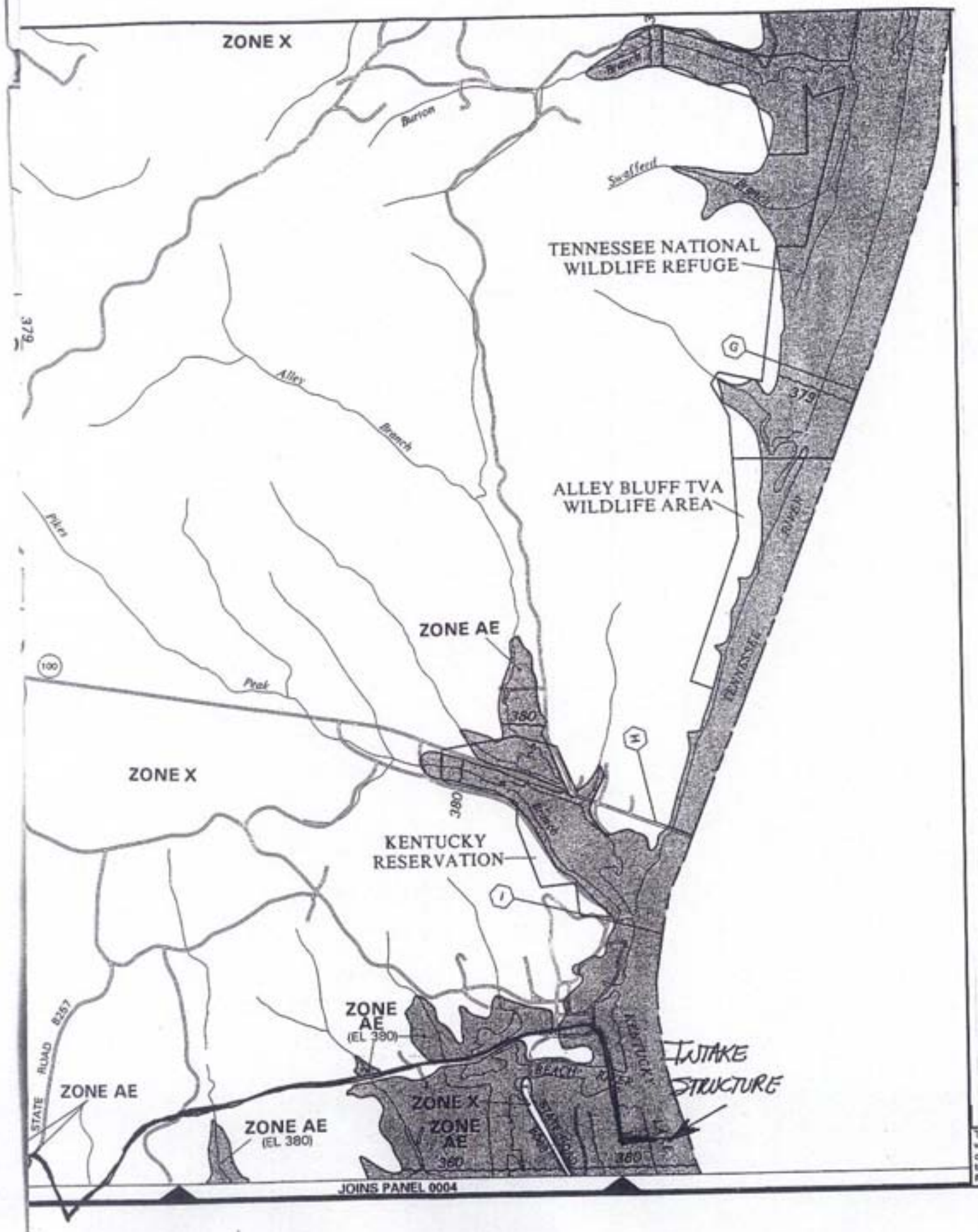
Tim Thompson
Cultural Research Specialist
(918) 756-8700 x602

Appendix B

FEMA Flood Insurance Rate and Project Maps









APPROXIMATE SCALE

2000 0 2000 FEET

NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP

**DECATUR COUNTY,
TENNESSEE**
(UNINCORPORATED AREAS)

PANEL 2 OF 6

(SEE MAP INDEX FOR PANELS NOT PRINTED)

PIPELINE ROUTE-

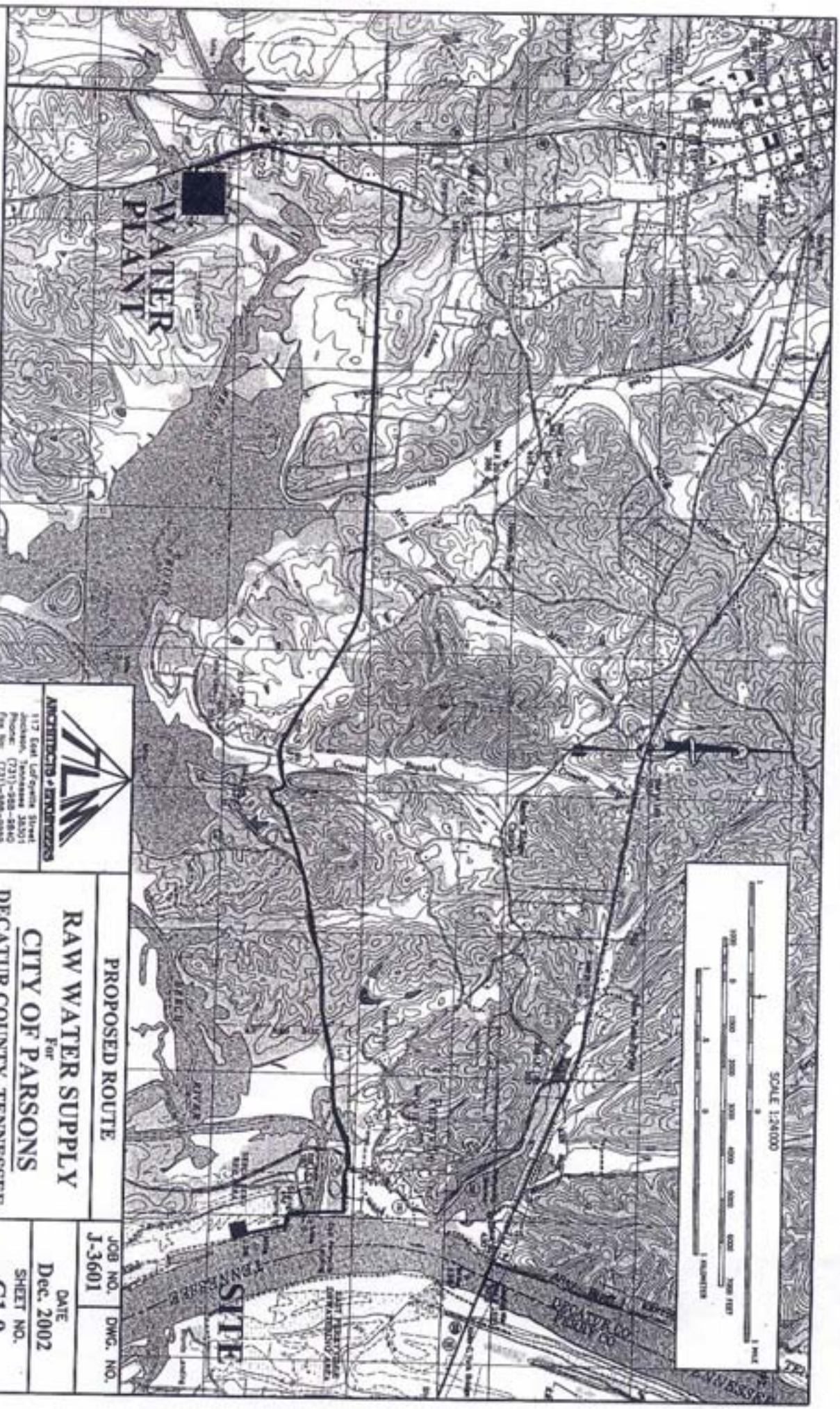
COMMUNITY-PANEL NUMBER
470041 0002 D

MAP REVISED:
JANUARY 7, 2000



Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using FIRM On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

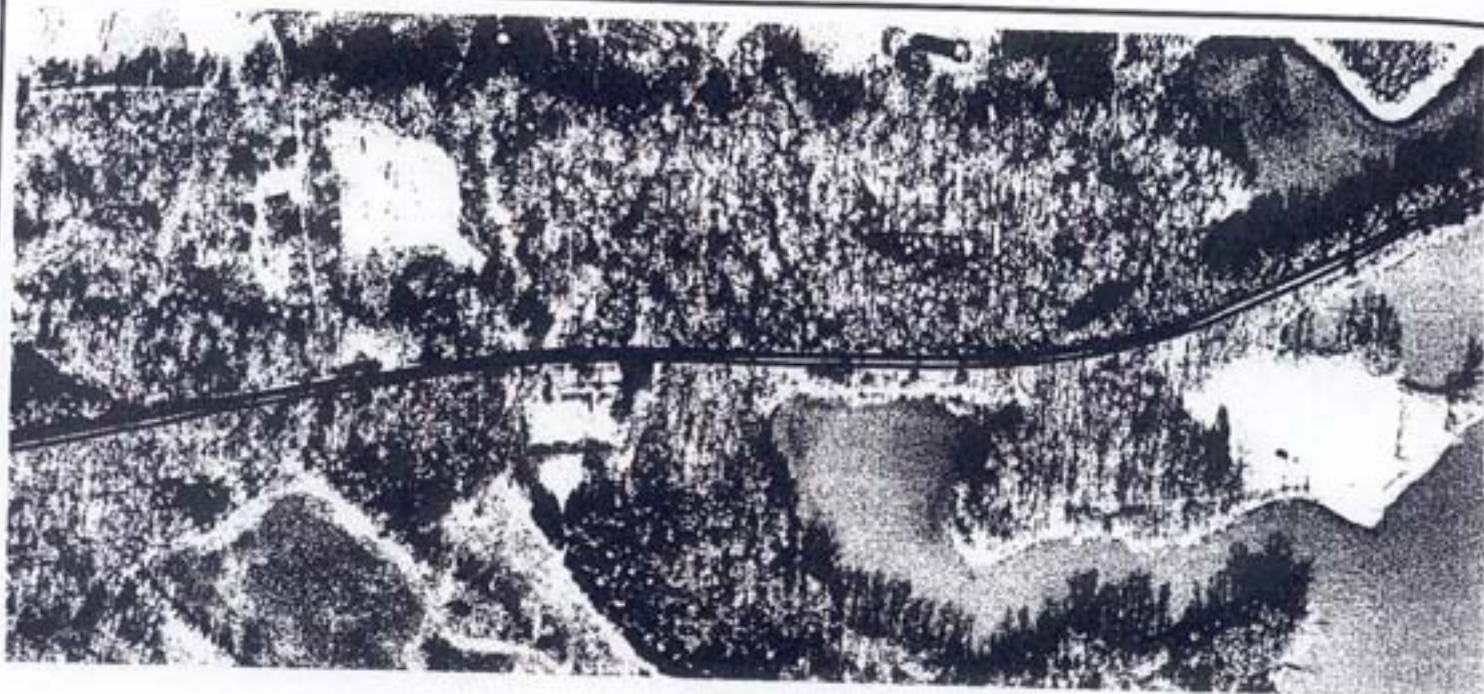


TLM
ARCHITECTS + ENGINEERS
117 East LeGrange Street
Jackson, Tennessee 38301
Phone: (731)-588-5840
Fax: (731)-588-0955

PROPOSED ROUTE
RAW WATER SUPPLY
For
CITY OF PARSONS
DECATUR COUNTY, TENNESSEE

JOB NO. J-3601 DWG. NO.
DATE Dec. 2002
SHEET NO. C1.0

TLM ASSOCIATES, INC. - ARCHITECTS + ENGINEERS



ARCHITECTS + ENGINEERS

117 East LaFayette Street
Jackson, Tennessee 38301
Phone: (731)-988-9840
Fax No: (731)-988-9959

REVISIONS

NO	DATE	BY	DESCRIPTION

Raw W

Cit

Par

TLM ASSOCIATES, INC.



er Intake Line

for

of Parsons

is, Tennessee

JOB NO.
J-3601

DWG. NO.

DATE
August 2003

SHEET NO.

- ARCHITECTS + ENGINEERS

Appendix C

Phase 1 Archaeological Report – Management Summary

Draft Report

**A Phase I Cultural Resources Survey for
Proposed Water Systems Improvements,
Parsons, Decatur County, Tennessee**

Conducted under ARPA Permit 03-02

Submitted to

Southwest Tennessee Development District
27 Conrad Drive, Suite 150
Jackson, Tennessee 38305-2850

And

Tennessee Valley Authority
Post Office Box 1589
Norris, Tennessee 37828-1589

Submitted by

Weaver & Associates, LLC
2563 Broad Avenue
Memphis, Tennessee 38112

Prepared by

Brian R. Collins and Guy G. Weaver

A handwritten signature in cursive script, reading "Guy G. Weaver". The signature is written in dark ink and is positioned above a horizontal line.

Guy G. Weaver
Principal Investigator

June 2003

Management Summary

At the request of the Southwest Tennessee Development District, Weaver & Associates L.L.C. conducted a Phase I Cultural Resources Survey in association with planned water system improvements in Decatur County, Tennessee, to be financed, in part by a Housing and Urban Development grant. The proposed project includes construction of an intake structure on the Tennessee River (RM 136) near the Town of Perryville, and constructing a new 18 inch pipeline connecting the intake structure with an existing water filtration station on the Beech River in the Town of Parsons. The eastern portion of the project area is on Tennessee Valley Authority fee-owned land adjacent to Beech River. The total centerline distance for the proposed pipeline corridor is approximately 9.7 kilometers (6.1 miles) with an easement 20 m (60 ft) wide.

The primary goal of the Phase I Cultural Resources Survey is to identify, record and assess all cultural resources within the proposed right-of-way that are listed, eligible for listing, or potentially eligible for listing on the National Register of Historic Places, pursuant to the criteria set forth in 36 CFR 60.4. The investigations included a literature and records search prior to fieldwork. Archaeological field methods included surface inspection, systematic shovel testing, posthole deep testing, and backhoe trenching. The field survey was conducted from March 20-23, and May 29-30, 2003.

Results of the survey suggested the proposed project, as originally designed, would directly affect 10 archaeological sites. Five of these sites were previously recorded (sites 40Dr8, 141, 143, 147, and 150), while five sites were identified during the present survey (sites 40Dr315, 316, 317, 318, and 319). It is recommended that nine of these sites (40Dr 8, 141, 143, 147, 150, 315, 316, 318 and 319) be considered potentially eligible for the National Register. In addition, seven previously identified sites are located immediately adjacent to the proposed waterline (40Dr28, 142, 146, 149, 151 and 158).

Changes to the proposed pipeline corridor will result in avoidance of potentially significant archaeological deposits at these sites. Specific recommendations include:

- (1) Shifting the proposed intake structure at least 115 meters (375 ft) north from the Option 1 location at Station 320+97.3 to the Option 2 location at Station 317+25, thereby avoiding impact to potentially significant archaeological deposits at site 40Dr8;
- (2) Shifting the proposed water pipeline north from its original route crossing the ridge between Stations 285+00 and 297+00, onto existing road right of way and the sand and gravel lot, thereby avoiding impact to potentially significant archaeological deposits at sites 40Dr143, 150, and 319;

- (3) Shifting the proposed water pipeline about 25-30 meters (80-100 feet) south between Stations 131+00 and 135+50, thereby avoiding impact to potentially significant archaeological deposits at site 40Dr315.

If these changes are enacted, the proposed construction should have no adverse effect to significant archaeological deposits, and no further work is recommended. If avoidance is unfeasible, Phase II testing is recommended for sites 40DR8, 143, 150, 315, and 319.

Acknowledgments

We would like to take this opportunity to thank the individuals who contributed to and enabled the successful completion of this project. We especially would like to thank Mr. L. Frank Zerfoss and Ms. Lisa Morris of the Southwest Tennessee Development District, and Mr. Randy McKinnon and Mr. Charles Lewis, engineers with TLM, Inc., for their technical and logistical support throughout the project.

Thanks are extended to the personnel at the Tennessee Division of Archaeology (TDOA), Nashville, and especially to Suzanne Hoyal, Site Files Curator, for her assistance in the site file research and assigning state site numbers. We also wish to thank Mr. J. Bennett Graham, Senior Archaeologist with the Tennessee Valley Authority, for his quick response to our application for an ARPA permit.

We also are indebted to the many landowners who allowed us access to their property. Mr. Eugene McKenzie deserves special acknowledgement for assisting us in crossing swollen creeks and helping to get our vehicle out of the mud. Mr. William Mac Patterson was our backhoe operator.

A number of Weaver & Associates personnel contributed on this project. Thomas Carty conducted the literature and records research in Nashville. Fieldwork was conducted by Guy G. Weaver, Brian R. Collins, and Andrew McColgan. Andrew McColgan, Jason Wyatt, and Brian Collins conducted the laboratory analysis. Thomas Carty edited the report, and Joey Pegram and Robert Dye produced the graphics.

Appendix D

TWRA Mussel and Gray Bat Report

Perryville Mussel Survey
Conducted by Tennessee Wildlife Resources Agency (TWRA)

The Perryville water intake site was surveyed for mussels on June 24, 2003. This site is on the Tennessee River near the mouth of the Beech River at mile marker 137. A 20 meter transect was conducted at 50, 100, 150 and 250 feet from shore. Deep holes at the 150-meter site indicated gravel dredging had occurred. Substrate consisted of silt and sand with some gravel under the boat. A sparse number of *Corbicula fluminea* were found at the all sites, 4 mussel species were sampled 100 meters from shore (.35 mussels/m²) and 9 mussel species were 50 feet from shore (1.25 mussels/m²). Mussel relocation is not required since a significant mussel population was not evident and no rare mussels species were detected. TWRA recommends this location as an acceptable water intake site.

PERRYVILLE WATER INTAKE SITE
PRELIMINARY MUSSEL SURVEY

LATITUDE: 35 36.807N	DATE: 6/24/03			
LONGITUDE: 88 02.123W	COLLECTORS: 245,145,47,43			
LOCATION: Parson's Sewer outfall				
RIVER MILE: TRM 137.0	WATER TEMP: 78 F			
DEPTH (ft): 60 feet	COLLECTION METHOD: 20 meter transects			
SUBSTRATE: silt, sand, gravel				
Mussel Species	Distance from shore (ft)			
	250	150	100	50
Rock pocketbook (<i>A. confragosus</i>)				1
Washboard (<i>M. nervosa</i>)			1	3
Threeridge (<i>A. plicata</i>)			2	3
Ebony (<i>F. ebena</i>)			3	8
Elephant ear (<i>E. crassidens</i>)				1
Threehorn (<i>O. reflexa</i>)			1	4
Butterfly (<i>E. lineolata</i>)				1
Fragile papershell (<i>L. fragilis</i>)				1
Pink heelsplitter (<i>P. alatus</i>)				3
Corbicula	handful	sparse	sparse	sparse

COMMENTS:

Collectors - David Sims, Don Hubbs, and Steve Seymour

TENNESSEE WILDLIFE RESOURCES AGENCY



Region 1
200 Lowell Thomas Dr.
Jackson, Tennessee 38301

February 6, 2003

L. Frank Zerfoss
Environmental Planner
SWTDD

[Signature] Feb 10, 2003

Subject: Environmental Review – Parsons, TN Water Systems Improvements Community Development Block Grant 2002

Dear Frank,

After reviewing your letter of January 31, 2003, based on my knowledge of the area and the description of the work to be done, I do not believe there will be any adverse impact to gray bats.

Sincerely,

[Signature of Alan Peterson]

Alan Peterson
Nongame/Endangered Species Biologists
TWRA